

10/551057
IC20 Rec'd PCT/P10 26 SEP 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jansen, et al.

Serial No. To Be Assigned

Filed: September 26, 2005

For: OPTIMIZED EXPRESSION OF HPV 31 L1 IN YEAST

Art Unit: _____

Examiner: _____

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
 UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT Sept. 26, 2005
 EXPRESS MAIL NO. EV321984935US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
 BEING DEPOSITED WITH THE UNITED STATES POSTAL
 SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
 ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
 COMMISSIONER FOR PATENTS, P.O. BOX 1450,
 ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY Christine Cuffe
 DATE 9-26-05

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By _____ Date _____

INFORMATION DISCLOSURE STATEMENT

10/551057
JC20 Rec'd PCT/PTO 26 SEP 2005

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- the attached information is filed within three months of the filing date of the captioned case.
- the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Alysi A. Finnegan

Attorney _____ For Applicant(s)

Reg. No. 48,878

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-2583

Date: September 26, 2005

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE</p> <p>STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>				COMPLETE IF KNOWN	
				Application Number	To Be Assigned
				Filing Date	September 26, 2006
				First Named Inventor	Jansen, et al.
				Group Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	21188P

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature _____ **Date Considered** _____

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				COMPLETE IF KNOWN
Application Number	To Be Assigned			10/7551057
Filing Date	September 26, 2006			
First Named Inventor	Jansen, et al.			
Group Art Unit				
Examiner Name				
Sheet	2	of	3	Attorney Docket Number
				21188P

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.		
		Bosch, et al., "The casual relation between human papillomavirus and cervical cancer", J. Clin. Pathol., Vol. 55, pp. 244-265, 2002.		
		Brietburd, et al., "Immunization with Viruslike Particles from Cottontail Rabbitt Papillomavirus (CRPV) Can Protect against Experimental CRPV Infection", J. of Virol., pp. 3959-3969, Vol. 69, No. 6, June 1995.		
		Goldsborough, et al., "Nucleotide Sequence of Human Papillomavirus Type 31: A Cervical Neoplasia-Associated Virus", Virology, Vol. 171, pp. 306-311, 1989.		
		Guo, et al., "3'-end-forming signals of yeast mRNA", TIBS 21, pp. 477-481, December 1991.		
		Guo, et al. "Signals Sufficient for 3'-End Formation of Yeast mRNA", Mol. and Cell Biol., Vol. 16, No. 6, pp. 2772-2776, June 1996.		
		Heidmann, et al., "Flexibility and Interchangeability of Polyadenylation Signals in Saccharomyces cerevisiae", Mol. and Cell. Biol., Vol. 14, No. 7, pp. 4633-4642, July 1994.		
		Henikoff, et al., "Transcription Terminates in Yeast Distal to a Control Sequence", Cell, Vol. 33, pp. 607-614, June 1983.		
		McMurray, et al., "Biology of human papillomaviruses", Int. J. Exp. Path., Vol. 82, pp. 15-33, 2001.		
		Russo, et al., "Saccharomyces cerevisiae mRNA 3' End Forming Signals are also Involved in Transcription Termination", Yeast, Vol. 11, pp. 447-453, 1995.		
		Schiffman, et al., "Epidemiologic Evidence Showing That Human Papillomavirus Infection Causes Most Cervical Intraepithelial Neoplasia", J. of National Cancer Inst., Vol. 85, No. 12, June 16, 1993.		
		Schiller, et al., "Papillomavirus-Like Particles Basic and Applied Studies", Papillomavirus Reviews: Current Research on Papillomaviruses, Lacey, et. Leeds, UK: Leeds Medical Information, pp. 101-112, 1996.		
		Sharp, et al., "Synonymous Codon Usage in Saccharomyces cerevisiae", Yeast, Vol. 7, pp. 657-678, 1991).		
		Schiller, et al., "Developing HPV virus-like particle vaccines to prevent cervical cancer: a progress report", J. of Clin. Virol., Vol. 19, pp. 67-74 , 2000.		
		Suzich, et al., "Systemic immunization with papillomavirus L1 protein completely prevents the development of viral mucosal papillomas", Proc. Natl. Acad. Sci. USA, Vol. 92, pp. 11553-11557, December 1995.		
		Thalenfeld, et al., "oli1 Transcripts in Wild-Type and in a Cytoplasmic "Petite" Mutant of Yeast", J. of Biological Chem., Vol. 258, No. 23, pp. 14065-14068, 1983.		

Examiner Signature	Date Considered
--------------------	-----------------

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

<p>• Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>				COMPLETE IF KNOWN	
				Application Number	To Be Assigned
				Filing Date	September 26, 2006
				First Named Inventor	Jansen, et al.
				Group Art Unit	
				Examiner Name	JC20 Rec'd PCT/PTO 26 SEP 2005
Sheet	3	of	3	Attorney Docket Number	21188P

NON PATENT LITERATURE DOCUMENTS

Examiner Signature _____ **Date Considered** _____

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc. -7/12/2005